

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The non-final Office Action dated April 2, 2009 has been received and its contents carefully reviewed.

Claim 13 is hereby amended. Claims 1-12 are hereby canceled without prejudice to or disclaimer of the contents contained therein. No claims are added. Accordingly, claims 13-20 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

Claim 16 is objected to as being dependent upon a rejected base claim. *Office Action* at p. 6, ¶ 8. Applicants thank the Examiner for indicating that claim 16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-4, 7 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 2,024,952 to Snyder et al. (hereinafter “*Snyder*”) or U.S. Patent No. 1,511,661 to Dantzebecher (hereinafter “*Dantzebecher*”) in view of U.S. Publication No. 2004/01555558 to Rasmussen (hereinafter “*Rasmussen*”), U.S. Publication No. 2004/0084985 to Hasumi (hereinafter “*Hasumi*”) or U.S. Publication No. 2004/0090138 to Amrhein et al. (hereinafter “*Amrhein*”). *Office Action* at p. 2, ¶ 2. The rejection of claims 1-4, 7 and 10 is moot as claims 1-4, 7 and 10 are canceled herein.

Claims 5, 6, 8, 9, 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Snyder* or *Dantzebecher* and *Rasmussen*, *Hasumi* or *Amrhein* further in view of U.S. Patent No. 7,337, 790 to Hu (hereinafter “*Hu*”). *Office Action* at p. 3, ¶ 3. The rejection of claims 5, 6, 8, 9, 11 and 12 is moot as claims 5, 6, 8, 9, 11 and 12 are canceled herein.

Claims 13, 14 and 17 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by U.S. Patent No. 1,651,083 to Brotz (hereinafter “*Brotz*”), U.S. Patent No. 1,946,181 to Stoddard (hereinafter “*Stoddard ‘181*”), U.S. Patent No. 2,002,300 to Stoddard (hereinafter “*Stoddard ‘300*”) or U.S. Patent No. 2,077,098 to Dort (hereinafter “*Dort*”).

Office Action at p. 4, ¶ 5. Applicants respectfully traverse the rejection and request reconsideration.

Independent claim 13 is allowable over *Brotz, Stoddard '181, Stoddard '300* and *Dart* in that claim 13 recites a combination of elements including, for example, “a guide piece extending downwardly from a bottom surface of the sump, and a screw fastening boss extending downwardly from the bottom surface of the sump, wherein the screw fastening boss is spaced apart from the guide piece ... and a screw fastening hole corresponding to the screw fastening boss, thereby the sump and the motor is aligned by the guide piece and the guide hole and fixedly secured by the screw fastening boss and the screw fastening hole.” *Brotz, Stoddard '181, Stoddard '300* or *Dart* does not disclose, expressly or inherently, at least these features of claim 13.

Brotz discloses “a screw coupling 17” where “[t]hreaded on the protruding end of the screw coupling 17 is a motor housing cover 21 and removably attached to it is a motor housing 22 containing an electric motor.” *Brotz* at p. 1, col. 2, lines 83 and lines 91-94. Thus, *Brotz* discloses a threaded screw coupling 17, which is not configured for aligning but for fixedly securing the sump and the motor. In contrast, Applicants claim “a guide piece extending downwardly from a bottom surface of the sump, and a screw fastening boss extending downwardly from the bottom surface of the sump, wherein the screw fastening boss is spaced apart from the guide piece ... and a screw fastening hole corresponding to the screw fastening boss, thereby the sump and the motor is aligned by the guide piece and the guide hole and fixedly secured by the screw fastening boss and the screw fastening hole.” Thus, *Brotz* does not disclose, expressly or inherently all of the features as recited in independent claim 13.

Regarding *Stoddard '181*, the Office refers to an annotated Figure 5 of *Stoddard '181* as purportedly disclosing the “guide piece” and the “guide hole” recited in independent claim 13. See *Office Action* at p. 5. Even if one of ordinary skill in the art construed *Stoddard '181* as suggested by the Office, *Stoddard '181* still fails to teach or suggest, “a guide piece extending downwardly from a bottom surface of the sump, and a screw fastening boss extending downwardly from the bottom surface of the sump, wherein the screw fastening boss is spaced apart from the guide piece ... and a screw fastening hole corresponding to the screw fastening boss, thereby the sump and the motor is aligned by the guide piece and the guide hole and

fixedly secured by the screw fastening boss and the screw fastening hole,” as recited in independent claim 13.

The Office purports that *Stoddard* ‘300 discloses a sump 27, a guide piece 44 and a guide hole 150. *See Office Action* at p. 5. *Stoddard* ‘300, however, discloses that “[t]he lower part of the casting 30 has a flange 44 which is provided with the circular shoulder 153” and “[t]he inner portion of the annular ring 159 is provided with a shouldered portion 150 which rests between the cooperating shoulders 153 and 154.” *Stoddard* ‘300 at p. 4, col. 1, lines 19-21 and lines 38-41. *Stoddard* ‘300 is entirely silent regarding any disclosure, express or inherent, concerning “a guide piece extending downwardly from a bottom surface of the sump, and a screw fastening boss extending downwardly from the bottom surface of the sump, wherein the screw fastening boss is spaced apart from the guide piece ... and a screw fastening hole corresponding to the screw fastening boss, thereby the sump and the motor is aligned by the guide piece and the guide hole and fixedly secured by the screw fastening boss and the screw fastening hole,” as recited in independent claim 13.

The Office alleges that *Dort* discloses a guide piece 4 and guide hole 8 and 9. *See Office Action* at p. 5. Applicants disagree. *Dort* discloses that “[t]he bottom 3 of the body ... has an approximately centrally located aperture ... as indicated at 4” and a “ring 7 has an outwardly extending flange 8 which cooperates with the corresponding flange 9 projecting from the end of the motor casing 5.” *Dort* at p. 1, col. 1, line 52 - col. 2, line 7. Thus, the guide piece to which the Office refers to is an aperture and the guide hole is a flange. Even if one of ordinary skill in the art construed *Dort*’s aperture as the “guide piece” recited in the claim and *Dort*’s flange as the “guide hole” recited in the claim, *Dort* still fails to teach or suggest “a guide piece extending downwardly from a bottom surface of the sump, and a screw fastening boss extending downwardly from the bottom surface of the sump, wherein the screw fastening boss is spaced apart from the guide piece ... and a screw fastening hole corresponding to the screw fastening boss, thereby the sump and the motor is aligned by the guide piece and the guide hole and fixedly secured by the screw fastening boss and the screw fastening hole,” as recited in independent claim 13.

For at least these reasons, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 102(b) rejection of independent claim 13. Claims 14 and 17 depend from independent

claim 13. It stands to reason that the 35 U.S.C. § 102(b) rejection of those dependent claims should be withdrawn as well.

Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Brotz, Stoddard '181, Stoddard '300 and Dort* in view of U.S. Patent No. 7,318,850 to Kaylan (hereinafter “*Kaylan*”). *Office Action* at p. 5, ¶ 6. Applicants respectfully traverse the rejection and request reconsideration.

Kaylan fails to cure the deficiencies of *Brotz, Stoddard '181, Stoddard '300 and Dort* with respect to independent claim 13. Indeed, the Office only relied upon *Kaylan* to purportedly disclose “a guide piece (46) having at least one sloped side surface.” *Office Action* at p. 5. Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claim 13, they also fail to teach or suggest each and every element of claim 15, which depends from claim 13. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claim 15.

Claims 18-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Brotz, Stoddard '181, Stoddard '300 and Dort* in view of *Rasmussen, Hasumi or Amrhein*. *Office Action* at p. 6, ¶ 7. Applicants respectfully traverse the rejection and request reconsideration.

Rasmussen fails to cure the deficiencies of *Brotz, Stoddard '181, Stoddard '300 and Dort* with respect to independent claim 13. Indeed, the Office only relied upon *Rasmussen* to purportedly disclose “concentrated winding, the height and motor being of the outer rotor type.” *Office Action* at pp. 2-3 and 6.

Hasumi fails to cure the deficiencies of *Brotz, Stoddard '181, Stoddard '300 and Dort* with respect to independent claim 13. Indeed, the Office only relied upon *Hasumi* to purportedly disclose “concentrated winding, the height and motor being of the outer rotor type.” *Office Action* at pp. 2-3 and 6.

Amrhein fails to cure the deficiencies of *Brotz, Stoddard '181, Stoddard '300 and Dort* with respect to independent claim 13. Indeed, the Office only relied upon *Amrhein* to purportedly disclose “concentrated winding, the height and motor being of the outer rotor type.” *Office Action* at pp. 2-3 and 6. Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claim 13, they also fail

to teach or suggest each and every element of claims 18-20, which depend from claim 13. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 18-20.

CONCLUSION

The application is in condition for allowance. Early and favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911.

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